

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

LARRY BEEDLE,

Plaintiff,

Case No. 05-70430

v.

HONORABLE ARTHUR J. TARNOW  
UNITED STATES DISTRICT JUDGE

DR. DEMASI, *et al.*,

Defendant.

MAGISTRATE JUDGE  
VIRGINIA M. MORGAN

**ORDER ADOPTING MAGISTRATE'S REPORT & RECOMMENDATION [D/E # 75],  
DENYING DEFENDANT DR. DeMASI'S  
MOTION FOR SUMMARY JUDGMENT [D/E # 67]**

Before the Court is the Magistrate Judge's Report and Recommendation addressing defendant Dr. DeMasi's motion to dismiss pursuant to 42. U.S.C. § 1997e(a) for Beedle's failure to exhaust administrative remedies with respect to claims against other defendants that were dismissed on the merits earlier in the litigation.

Having reviewed the file, the motion and the Magistrate's R & R , and having no objections filed, this Court **ACCEPTS AND ENTERS** the Magistrate's Reports and Recommendations as the findings and conclusions of the Court. Accordingly, Defendant DeMasi's Motion for Summary Judgment is **DENIED**.

**IT IS SO ORDERED.**

s/Arthur J. Tarnow

Arthur J. Tarnow  
United States District Judge

Dated: September 18, 2006

I hereby certify that a copy of the foregoing document was served upon counsel of record on September 18, 2006, by electronic and/or ordinary mail.

s/Theresa E. Taylor

Case Manager

